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OFFICE OF PETITIONS

In re Application of :
Shou-Te Yu :
Application No. 09/768,526 : DECISION ON PETITION
Filed: January 24, 2001 :
Attorney Docket No. 3158/01208 :

This is a decision on the petition, filed October 3, 2003, under 37 CFR 1.181 requesting withdrawal of the holding of abandonment in the above-identified application. The delay in addressing this petition is regretted.

The petition is **GRANTED**.

This application was held abandoned for failure to reply to the Notice of Allowance and Issue Fee Due mailed April 11, 2003. A Notice of Abandonment was mailed on September 17, 2003.

Petitioner asserts that the issue and publication fees had been previously paid on February 19, 2003, in response to the Notice of Allowance and Issue Fee due mailed on January 28, 2003. Petitioner specifically indicated the issue and publication fees filed February 19, 2003 be reapplied in response to the Notice of Allowance and Issue Fee Due mailed April 11, 2003. A review of the file confirms petitioner's position.

The Notice of Abandonment mailed September 17, 2003 is hereby vacated and the holding of abandonment withdrawn.

This application is being referred to the Office of Data Management for processing of the application into a patent.

Telephone inquiries concerning this decision should be directed to Carl Friedman at (571) 272-6842.



Carl Friedman
Petitions Examiner
Office of Petitions